

LAW FIRM  
OF  
**WILLIAM E. OTTO, ESQ.**

---

P.O. Box 701  
MURRYSVILLE, PA 15668  
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[WEO@OTTOLAWFIRM.COM](mailto:WEO@OTTOLAWFIRM.COM)

May 5, 2022

The Honorable Harry F. Smail, Jr.  
Westmoreland County Courthouse  
2 N Main St  
Greensburg, PA 15601

**RE: Christine Biros v. U Lock, Inc.**  
**Westmoreland County Court of Common Pleas Case No. 17CJ04886**

Dear Judge Smail:

Enclosed please find a copy of Evidence in Support of Plaintiff's Motion for Sanctions Pursuant to 42 Pa.C.S.A. §2503(7) and (9) and Pa.R.C.P. Rule 1023.1(d).

It is my intention to present this matter to you in your Courtroom on Friday, May 13, 2022, or at such other time as it may please the Court. In addition, at that time, I would like the opportunity to address other matters related to the Motions which are currently before you.

Opposing Counsel has been given notice of my intention and copies of these documents. Please note that copies (without Exhibit B, Invoices) have also been provided to Messrs. Del Cotto and Tumolo as a courtesy only, since their clients have been dismissed from the case and these presentations do not have an impact on them.

If you have any questions, please contact me.

Respectfully submitted,

  
William E. Otto, Esq.

Enclosures

CC: (w/Enclosures) J. Allen Roth, Esq.  
757 Lloyd Avenue Extension, Suite B  
Latrobe, PA 15650

John Tumolo, Esq.  
437 Grant Street  
1500 Frick Building  
Pittsburgh, PA 15219

Dennis Del Cotto, Esq.  
4345 Old William Penn Highway  
Murrysville, PA 15668

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,  
PENNSYLVANIA**

**CHRISTINE BIROS**, an individual,

**Plaintiff,**

**vs.**

**U LOCK, INC.**, a Pennsylvania  
corporation,

**Defendant.**

**CIVIL DIVISION**

**No. 17CJ04886**

**EVIDENCE IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
SANCTIONS PURSUANT TO 42  
Pa.C.S.A. § 2503(7) and (9) and  
Pa.R.C.P. RULE 1023.1(d)**

**LIS PENDENS**

Filed on Behalf of Plaintiff,  
Christine Biros

Counsel of Record for this Party:  
William E. Otto, Esq.  
PA I.D. #32716  
P.O. Box 701  
Murrysville, PA 15668  
Office: (724) 519-8778

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,  
PENNSYLVANIA**

**CHRISTINE BIROS**, an individual,

**CIVIL DIVISION**

**Plaintiff,**

**No. 17CJ04886**

**vs.**

**U LOCK, INC.**, a Pennsylvania  
corporation,

**Defendant.**

**EVIDENCE IN SUPPORT OF PLAINTIFF'S MOTION FOR SANCTIONS PURSUANT  
TO 42 Pa.C.S.A. § 2503(7) and (9) and PA.R.C.P. RULE 1023.1(d)**

AND NOW comes Plaintiff Christine Biros by and through her counsel, William E. Otto, Esq., and files the within Evidence in Support of Plaintiff's Motion for Sanctions Pursuant to 42 Pa.C.S.A. §2503(7) and (9) and Pa.R.C.P. Rule 1023.1(d) against Defendant U Lock, Inc. and its counsel, J. Allen Roth, Esq.:

1. During the argument on Motions conducted in this Court on April 22, 2022, Plaintiff presented a Motion for Sanctions against Defendant U Lock, its counsel and its directors.
2. This Court requested that Plaintiff's counsel provide evidence in the form of attorney's billings to support Plaintiff's Motion for Sanctions.
3. Attached hereto as Exhibit "A", Summary, and made a part hereof is a summary of various events, dates and charges incurred by Plaintiff to defend against Defendant's assertion that the source of Plaintiff's funds in the underlying action resulted from illegal conduct.
4. Attached hereto as Exhibit "B", Invoices, and made a part hereof are redacted copies of invoices referred to in the summary.

5. As can be seen from Exhibit "B", counsel for Plaintiff did not detail his efforts on specific issues to the level of detail that would clearly delineate his work on that specific issue.

6. Consequently, Plaintiff's counsel reviewed each of the filings for which such time was incurred and has made estimates of the time spent based on his recollection and experience.

7. As shown in Exhibit "A", Summary, the billings support a charge of \$14,280.00; however, Plaintiff believes that sanctions in the amount of \$20,000.00 are warranted because of the damage done to Plaintiff's reputation.

8. Defendant's counsel has asserted in his Brief that no charge may be asserted against such counsel for matters prior to 2020 because of such counsel's bankruptcy filing as of October 17, 2019.

9. In response, Plaintiff has attached Exhibit "C", Defendant's counsel's List of Creditors which he filed in connection with his bankruptcy case.

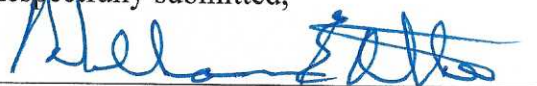
10. As can be seen, Plaintiff is not named as a creditor and had no knowledge of such filing.

11. Further, the U.S. Bankruptcy Code, *11 USC §§101 et seq.*, would not prohibit the imposition of such sanctions by this Court, but rather, only unjustified attempts to collect such sums.

12. Plaintiff is considering taking action to open Defendant's counsel's bankruptcy case based on evidence discovered by Plaintiff.

13. If Plaintiff is successful in this action, it is possible that Plaintiff may be able to hold Defendant's counsel responsible for his actions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "William E. Otto", is written over a horizontal line.

William E. Otto, Esq.  
Counsel for Plaintiff



### VERIFICATION

The undersigned, William E. Otto, Esq., avers that the statements of fact contained in the within Evidence in Support of Plaintiff's Motion for Sanctions Pursuant to 42 Pa.C.S.A. §2503(7) and (9) and Pa.R.C.P. Rule 1023.1(d) are true and correct to the best of his knowledge, information and belief, that the Exhibits attached to the Evidence in Support are true and correct copies of the originals and that said statements are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



William E. Otto, Esq.

U Lock Invoice Summary						
Time Period Spent	Project	Invoice Nos.	Total Hours on Project	Value of Hours	Estimated Time Spent on Source of Funds Issue	Amount on Source of Funds Issue
4/25/2018 - 5/14/2018	Review Amended Answer and prepare PO's and Brief in Support	713, 746	12	\$ 4,200.00	3	\$ 1,050.00
5/29/2018 - 9/24/2018	Review U Lock objections to PO's and new Answer	746, 789, 842	3.8	\$ 1,330.00	2.5	\$ 875.00
9/4/2019 - 10/15/2019	Review U Lock Motion for Post-Trial Relief and draft Objections and Brief in Opposition to Motion	1204, 1234	42.7	\$ 14,945.00	6	\$ 2,100.00
11/7/2019 - 11/8/2019	Prepare for and attend hearing on post-trial motions	1290	6.3	\$ 2,205.00	6.3	\$ 2,205.00
1/29/2020 - 5/28/2021	Review U Lock Superior Court filings and prepare Brief	1320, 1420, 1499, 1572, 1835	106.1	\$ 37,135.00	20	\$ 7,000.00
9/5/2021 - 9/7/2021	Prepare Answer to U Lock's Supreme Court Application	1914	6.1	\$ 2,135.00	3	\$ 1,050.00
<b>TOTAL</b>			<b>177</b>	<b>\$ 61,950.00</b>	<b>40.8</b>	<b>\$ 14,280.00</b>



# INVOICE

Invoice # 713  
Date: 05/08/2018  
Due Upon Receipt

## U-Lock

[illegible]

Service	04/30/2018	Research and draft additional Preliminary Objections	2.80	\$350.00	-	\$980.00
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Line Item Discount Subtotal	-\$455.00
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<b>Services Subtotal</b>	<b>\$5,610.00</b>
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[REDACTED]

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# Law Firm of William E. Otto, Esq.

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www.ottolawfirm.com

## INVOICE

Invoice # 746  
Date: 06/07/2018  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

### Services

Type	Date	Description	Quantity	Rate	Discount	Total
Service	05/01/2018	Draft Preliminary Objections; research and revise Brief	3.90	\$350.00	-	\$1,365.00
Service	05/02/2018	Revise Preliminary Objections; revise Brief	1.00	\$350.00	100.0%	\$0.00
Service	05/14/2018	Finalize Preliminary Objections and Brief; file and serve; T/C Christine Biros re: status of case	2.80	\$350.00	-	\$980.00
Service	05/29/2018	Review U Lock objections; research cases cited; T/C Christine Biros re: status of meeting with U Lock counsel	1.40	\$350.00	-	\$490.00
Line Item Discount Subtotal						-\$735.00
Services Subtotal						\$3,540.00

# INVOICE

Invoice # 789  
Date: 07/24/2018  
Due Upon Receipt

## U-Lock

[illegible]

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## INVOICE

P.O. Box 701  
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Phone: (724) 994-7887  
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Invoice # 842  
Date: 10/04/2018  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

### Services

Type	Date	Description	Quantity	Rate	Discount	Total
[REDACTED]						
[REDACTED]						
Service	09/07/2018	Finalize Petition to Stay Tax Sale; travel to Courthouse to present Motion; T/C's to Christine Biros, J. Allen Roth, John Tumolo, Dennis Del Cotto; file Order in Prothonotary's Office	2.70	\$350.00	-	\$945.00
Service	09/12/2018	T/C Christine Biros re: order on preliminary objections; email to Attorney Roth on revised Complaint	0.60	\$350.00	100.0%	\$0.00
Service	09/24/2018	Review Answer from Attorney Roth	0.40	\$350.00	-	\$140.00
[REDACTED]						
[REDACTED]						
[REDACTED]						
Line Item Discount Subtotal						-\$210.00
Services Subtotal						\$2,390.00

[REDACTED]

[REDACTED]



# Law Firm of William E. Otto, Esq.

## INVOICE

P.O. Box 701  
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Invoice # 1204  
Date: 10/15/2019  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

### Services

Type	Date	Description	Quantity	Rate	Discount	Total
Service	09/04/2019	Review of Motion for Post Trial Relief of Defendant; T/C Christine Biros; check appeal period	1.30	\$350.00	-	\$455.00
Service	09/06/2019	Research objections and drafts; T/C Christine Biros re: motion and objections	2.20	\$350.00	-	\$770.00
Service	09/07/2019	Review and research post trial motions; review 2018 deeds	1.70	\$350.00	-	\$595.00
Service	09/11/2019	Draft Objections to Defendant's Post Trial Motion	3.40	\$350.00	-	\$1,190.00
Service	09/13/2019	File Motion and Objections	1.80	\$350.00	-	\$630.00
Service	09/18/2019	T/C Christine Biros re: post trial motions	0.30	\$350.00	100.0%	\$0.00



<b>Services Subtotal</b>	<b>\$7,530.00</b>
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[illegible]

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## INVOICE

Invoice # 1234  
Date: 11/19/2019  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

### Services

Type	Date	Description	Quantity	Rate	Discount	Total
Service	10/07/2019	Draft Brief in Opposition	5.20	\$350.00	-	\$1,820.00
Service	10/08/2019	Draft and research Brief in Opposition to U Lock's Motion for Post Trial Relief	4.60	\$350.00	-	\$1,610.00
Service	10/09/2019	Research and draft Brief in Opposition to U Lock's Motion for Post Trial Relief	4.70	\$350.00	-	\$1,645.00
Service	10/10/2019	Research and draft Brief in Opposition to U Lock's Motion for Post Trial Relief	6.10	\$350.00	-	\$2,135.00
Service	10/11/2019	Review and research and revise Brief in Opposition to U Lock's Motion for Post Trial Relief	2.70	\$350.00	-	\$945.00
Service	10/12/2019	Review and research and revise Brief in Opposition to U Lock's Motion for Post Trial Relief	3.70	\$350.00	-	\$1,295.00
Service	10/13/2019	Revise and research Brief in Opposition to U Lock's Motion for Post Trial Relief	2.90	\$350.00	-	\$1,015.00
Service	10/13/2019	Review Brief	0.50	\$100.00	-	\$50.00
Service	10/15/2019	Prepare and file Brief in Opposition; T/C Christine Biros re: status	1.30	\$350.00	-	\$455.00
Line Item Discount Subtotal						-\$105.00
Services Subtotal						\$11,030.00

# INVOICE

Invoice # 1290  
Date: 01/07/2020  
Due Upon Receipt

**00089-Biros**

## U-Lock

[illegible]



# INVOICE

Invoice # 1320  
Date: 02/03/2020  
Due Upon Receipt

**00089-Biros**

## U-Lock

[illegible]



[REDACTED]  
[REDACTED]

Service	01/29/2020	Review of U Lock filing with Christine Biros	1.20	\$350.00	\$420.00
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[REDACTED]  
[REDACTED]

Services Subtotal \$12,560.00

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# INVOICE

Invoice # 1420  
Date: 05/06/2020  
Due Upon Receipt

**00089-Biros**

## U-Lock

## Services

Page 1 of 3

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## INVOICE

Invoice # 1499  
Date: 08/20/2020  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

Type	Date	Description	Quantity	Rate	Total
Service	06/02/2020	Download U Lock's Brief; review Appellee briefing schedule; revise Statement of Issues; T/C Prothonotary	1.30	\$100.00	\$130.00
Service	06/04/2020	Review cases of U Lock citations; organize cases	0.80	\$350.00	\$280.00
Service	06/08/2020	Draft format of Brief; check docket	0.50	\$100.00	\$50.00
Service	06/09/2020	Review U Lock cases; draft Brief sections	3.50	\$350.00	\$1,225.00
Service	06/10/2020	Draft Brief sections	1.10	\$100.00	\$110.00
Service	06/11/2020	Revise Brief; check Superior Court docket	0.50	\$100.00	\$50.00
Service	06/11/2020	Review U Lock Brief and cases; draft Brief sections	3.40	\$350.00	\$1,190.00
Service	06/22/2020	Revise Brief	0.70	\$100.00	\$70.00
Service	06/22/2020	Revie U Lock Brief and cases from U Lock; review prior	2.20	\$350.00	\$770.00



cases for Biros Brief					
[REDACTED]					
[REDACTED]					
[REDACTED]					
Service	06/24/2020	Review prior cases and U Lock Brief; set issues	3.50	\$350.00	\$1,225.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
Service	06/30/2020	Review of prior brief cases and U Lock issues	3.80	\$350.00	\$1,330.00
[REDACTED]					
[REDACTED]					
Service	07/02/2020	Research Appellant's Brief	2.10	\$350.00	\$735.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
Service	07/08/2020	Revise Brief	0.60	\$100.00	\$60.00
Service	07/10/2020	Review of U Lock Brief and cases; research issues of U Lock Brief	4.50	\$350.00	\$1,575.00
[REDACTED]					
[REDACTED]					
Service	07/12/2020	Review and research U Lock Brief	1.70	\$350.00	\$595.00
Service	07/13/2020	Review and research U Lock Brief	1.70	\$350.00	\$595.00
Service	07/14/2020	Review Brief re: references to criminal activity; review trial transcript for discovery requests; revise Brief; T/C Superior Court Prothonotary	1.80	\$100.00	\$180.00
Service	07/14/2020	Draft response to U Lock issues	5.70	\$350.00	\$1,995.00
Service	07/15/2020	Revise Brief	0.60	\$100.00	\$60.00
Service	07/16/2020	Draft response to U Lock issues	5.60	\$350.00	\$1,960.00
Service	07/17/2020	Revise Brief	1.90	\$100.00	\$190.00

Service	07/17/2020	Draft response to U Lock issues	0.60	\$350.00	\$210.00
Service	07/18/2020	Draft response to U Lock issues	1.60	\$350.00	\$560.00
Service	07/19/2020	Revise Brief	1.50	\$100.00	\$150.00
Service	07/19/2020	Draft response to U Lock issues	5.10	\$350.00	\$1,785.00
Service	07/20/2020	Review Brief citations and references	4.30	\$100.00	\$430.00
Service	07/20/2020	Draft response to U Lock issues	4.90	\$350.00	\$1,715.00
Service	07/21/2020	Revise Brief	1.20	\$100.00	\$120.00
Service	07/21/2020	Draft response to U Lock issues	4.20	\$350.00	\$1,470.00
Service	07/22/2020	Revise Brief; review citations and formatting	2.60	\$100.00	\$260.00
Service	07/25/2020	Restructure Brief with simpler issues	3.60	\$350.00	\$1,260.00
Service	07/26/2020	Revise arguments for issues	5.90	\$350.00	\$2,065.00
Service	07/27/2020	Revise Brief	2.10	\$100.00	\$210.00
Service	07/27/2020	Draft arguments for revised Brief	7.90	\$350.00	\$2,765.00
Service	07/28/2020	Revise Brief	1.10	\$100.00	\$110.00
Service	07/28/2020	Draft arguments for revised Brief	4.60	\$350.00	\$1,610.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					
Service	07/30/2020	Final review of Brief	2.70	\$350.00	\$945.00
[REDACTED]					
[REDACTED]					



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## INVOICE

P.O. Box 701  
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Invoice # 1572  
Date: 10/09/2020  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

Type	Date	Description	Quantity	Rate	Discount	Total
[REDACTED]						
Service	09/01/2020	Review Reply Brief; T/C Christine Biros re: Reply Brief	0.90	\$350.00	-	\$315.00
[REDACTED]						
Service	09/09/2020	T/C Christine Biros re: appeal	0.20	\$350.00	100.0%	\$0.00
[REDACTED]						
Line Item Discount Subtotal						-\$70.00
Subtotal						\$375.00
Total						\$375.00
Payment (05/26/2021)						-\$375.00
Balance Owing						\$0.00

[REDACTED]

[REDACTED]

[REDACTED]



# Law Firm of William E. Otto, Esq.

## INVOICE

P.O. Box 701  
Murrysville, PA 15668  
Phone: (724) 994-7887  
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Invoice # 1835  
Date: 07/07/2021  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

Type	Date	Description	Quantity	Rate	Total
Service	05/28/2021	Review case appeal procedure and review U Lock filings	0.30	\$350.00	\$105.00
[REDACTED]					
[REDACTED]					
[REDACTED]					
[REDACTED]					

Subtotal \$660.00

Total \$660.00

Payment (07/29/2021) -\$660.00

Balance Owing \$0.00

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

# Law Firm of William E. Otto, Esq.

P.O. Box 701  
Murrysville, PA 15668  
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## INVOICE

Invoice # 1914  
Date: 10/10/2021  
Due Upon Receipt

Christine Biros

**00089-Biros**

**U-Lock**

### Services

Type	Date	Description	Quantity	Rate	Discount	Total
Service	09/05/2021	Draft Answer to Supreme Court Petition for Allowance of Appeal by U Lock	2.00	\$350.00	-	\$700.00
Service	09/07/2021	Revise Supreme Court Answer and cross-check cases	4.10	\$350.00	-	\$1,435.00
Line Item Discount Subtotal						-\$315.00
Services Subtotal						\$2,615.00


Fill in this information to identify your case:

Debtor 1	<b>John Allen Roth</b>		
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>WESTERN DISTRICT OF PENNSYLVANIA</u>			
Case number (if known) _____			

☐ Check if this is an amended filing

Official Form 106E/F

**Schedule E/F: Creditors Who Have Unsecured Claims**

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on Schedule A/B: Property (Official Form 106A/B) and on Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G). Do not include any creditors with partially secured claims that are listed in Schedule D: Creditors Who Have Claims Secured by Property. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. If you have no information to report in a Part, do not file that Part. On the top of any additional pages, write your name and case number (if known).

**Part 1: List All of Your PRIORITY Unsecured Claims**

1. Do any creditors have priority unsecured claims against you?

- ☒ No. Go to Part 2.  
☐ Yes.

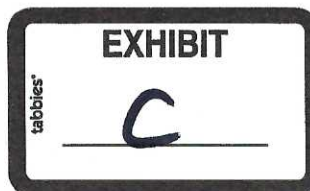
**Part 2: List All of Your NONPRIORITY Unsecured Claims**

3. Do any creditors have nonpriority unsecured claims against you?

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.  
☒ Yes.

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

4.1	<b>1st Summit Bank</b> Nonpriority Creditor's Name <b>125 Donald Lane</b> <b>P.O. Box 5480</b> <b>Johnstown, PA 15904</b> Number Street City State Zip Code Who incurred the debt? Check one. <input checked="" type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim is for a community debt Is the claim subject to offset? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Last 4 digits of account number <u>946L</u> When was the debt incurred? <u>2014</u> As of the date you file, the claim is: Check all that apply <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Type of NONPRIORITY unsecured claim: <input type="checkbox"/> Student loans <input type="checkbox"/> Obligations arising out of a separation agreement or divorce that you did not report as priority claims <input type="checkbox"/> Debts to pension or profit-sharing plans, and other similar debts <input checked="" type="checkbox"/> Other. Specify <u>Food, Clothing, Gas</u>	Total claim <u>\$4,638.95</u>
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Debtor 1 **John Allen Roth**

Case number (if known)

4.2

**Berkheimer Tax Administrator**

Nonpriority Creditor's Name

**P.O. Box 25153****Lehigh Valley, PA 18002**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **3799****\$154.26**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Quarter 1 local Taxes**

4.3

**CCC of NY**

Nonpriority Creditor's Name

**P.O. Box 288****Tonawanda, NY 14151-0288**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **3721****\$1,315.76**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **LexisNexis  
1000HWL9V**

4.4

**Citi Cards**

Nonpriority Creditor's Name

**P.O. Box 9001037****Louisville, KY 40290**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **3432****\$15,033.26**When was the debt incurred? **2014**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Costco  
Food, Clothing, Gas**

Debtor 1 **John Allen Roth**

Case number (if known)

4.5

**Department of the Treasury**

Nonpriority Creditor's Name

**Internal Revenue Service****Kansas City, MO 64999-0005**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **2965****\$1,793.61**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Quarter 1 Federal employee taxes**

4.6

**Department of the Treasury**

Nonpriority Creditor's Name

**Internal Revenue Service****Kansas City, MO 64999-0005**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **5183****\$219.57**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Quarter 1 employee State Taxes**

4.7

**Goodyear Credit Plan**

Nonpriority Creditor's Name

**P.O. Box 9001006****Louisville, KY 40290**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **3963****\$331.80**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Food, Clothing, Gas**

Debtor 1 **John Allen Roth**

Case number (if known)

4.8

**Internal Revenue Service**

Nonpriority Creditor's Name

**Centralized Insolvency Operation****P.O. Box 21126****Philadelphia, PA 19114**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **3783****\$205,000.00**When was the debt incurred? **2010-2016**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Taxes**

4.9

**Keystone Collections Group**

Nonpriority Creditor's Name

**P.O. Box 505****Irwin, PA 15642**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **2227****\$1,309.92**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Real Estate Local Taxes**4.1  
0**Macy's American Express**

Nonpriority Creditor's Name

**P.O. Box 9001108****Louisville, KY 40290**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **1883****\$18,734.66**When was the debt incurred? **2018**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Food, Clothing, Gas**



Debtor 1 **John Allen Roth**

Case number (if known)

4.1  
1**Office of UC Tax Services**

Nonpriority Creditor's Name

**P.O. Box 60848****Harrisburg, PA 17106**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **2726****\$19,066.51**When was the debt incurred? **2010**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Unemployment Compensation Office  
Department of Labor & Industry**4.1  
2**Penn Credit Corporation**

Nonpriority Creditor's Name

**916 S. 14th Street****Harrisburg, PA 17104**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **7493****\$1,092.55**When was the debt incurred? **12/31/2015**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Pennsylvania Department of Revenue  
Annual Income Tax Empl Id: 11 2015  
Acc No. 3783**4.1  
3**PNC Bank**

Nonpriority Creditor's Name

**P.O. Box 856177****Louisville, KY 40285**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **4902****\$6,712.34**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Food, Clothing, Gas**

Debtor 1 **John Allen Roth**

Case number (if known)

4.1  
4**Rauch-Milliken International, Inc.**

Nonpriority Creditor's Name

**P.O. Box 8390****Metairie, LA 70011**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **5572****\$2,549.00**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Hibu Digital**4.1  
5**RELX Inc. DBA LexisNexis**

Nonpriority Creditor's Name

**P.O. Box 9584****New York, NY 10087**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **WL9V****\$1,299.52**When was the debt incurred? **2018**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Research Site**4.1  
6**Southwest Regional Tax Bureau**

Nonpriority Creditor's Name

**One Centennial Way****Scottdale, PA 15683**

Number Street City State Zip Code

Who incurred the debt? Check one.

☒ Debtor 1 only☐ Debtor 2 only☐ Debtor 1 and Debtor 2 only☐ At least one of the debtors and another☐ Check if this claim is for a community debt

Is the claim subject to offset?

☒ No☐ YesLast 4 digits of account number **2965****\$129.26**When was the debt incurred? **2019**

As of the date you file, the claim is: Check all that apply

☐ Contingent☐ Unliquidated☐ Disputed

Type of NONPRIORITY unsecured claim:

☐ Student loans☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims☐ Debts to pension or profit-sharing plans, and other similar debts☒ Other. Specify **Quarter 1 local taxes employee****Part 3: List Others to Be Notified About a Debt That You Already Listed**

5. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional persons to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

**Part 4: Add the Amounts for Each Type of Unsecured Claim**

Debtor 1 **John Allen Roth**

Case number (if known)

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. §159. Add the amounts for each type of unsecured claim.

Total claims from Part 1	6a. Domestic support obligations	6a.	\$	<u>0.00</u>
	6b. Taxes and certain other debts you owe the government	6b.	\$	<u>0.00</u>
	6c. Claims for death or personal injury while you were intoxicated	6c.	\$	<u>0.00</u>
	6d. Other. Add all other priority unsecured claims. Write that amount here.	6d.	\$	<u>0.00</u>
	6e. Total Priority. Add lines 6a through 6d.	6e.	\$	<u>0.00</u>
Total claims from Part 2	6f. Student loans	6f.	\$	<u>0.00</u>
	6g. Obligations arising out of a separation agreement or divorce that you did not report as priority claims	6g.	\$	<u>0.00</u>
	6h. Debts to pension or profit-sharing plans, and other similar debts	6h.	\$	<u>0.00</u>
	6i. Other. Add all other nonpriority unsecured claims. Write that amount here.	6i.	\$	<u>279,380.97</u>
	6j. Total Nonpriority. Add lines 6f through 6i.	6j.	\$	<u>279,380.97</u>



## CERTIFICATE OF SERVICE

William E. Otto, Esq. hereby certifies, that on the 5<sup>th</sup> day of May, 2022, a true and correct copy of the foregoing **EVIDENCE IN SUPPORT OF PLAINTIFF'S MOTION FOR SANCTIONS PURSUANT TO 42 Pa.C.S.A. § 2503(7) and (9) and PA.R.C.P. RULE 1023.1(d)** was served upon the following via First-Class U.S. Mail:

The Honorable Harry Smail  
Westmoreland County Courthouse  
2 N. Main St  
Greensburg, PA 15601

J. Allen Roth, Esq.  
757 Lloyd Avenue Extension, Suite B  
Latrobe, PA 15650  
(Counsel for U Lock, Inc.)

Without Exhibit B, Invoices:

John Tumolo, Esq.  
Suite 1500 Frick Building  
Pittsburgh, PA 15219  
(Counsel for Kathleen S. Walter)  
*(For information purposes only)*

Dennis Del Cotto, Esq.  
4345 Old William Penn Highway  
Murrysville, PA 15668  
(Counsel for Denise Schur, Henry L. Moore, Susan Stano and Cynthia Sarris)  
*(For information purposes only)*



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William E. Otto, Esq.  
Counsel for Plaintiff